

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE SEPTEMBER 11TH LITIGATION :  
: 21 MC 97 (AKH)  
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ALVIN K. HELLERSTEIN, U.S.D.J.:

**ORDER REGARDING DAMAGES TRIAL AND PRE-TRIAL PROCEEDINGS**

As ordered on July 2, 2007, and for reasons discussed in a July 5, 2007 opinion, the Court ordered that the following cases be made ready for a trial of damages only:

1. Driscoll v. Argenbright Security, No. 02 Civ. 7912 (Driscoll, UA 93)
2. Cordero v. AMR Corporation, No. 03 Civ. 6966 (Houtz, Pentagon)
3. Carstanjen v. United Airlines, No. 02 Civ. 7153 (Carstanjen, UA 175)
4. Wilson v. American Airlines, No. 03 Civ. 6968 (Wiswe, 1 WTC)
5. Ambrose v. American Airlines, No. 02 Civ. 7150 (Ambrose, AA 77)
6. O'Hare & Kemmerer v. Argenbright Security, Inc., 02 Civ. 456 (Marcin, UA 93)

At a conference held with the Court on July 19, 2007, the parties outlined the discovery and other work that remains to be accomplished before any of these cases will be ready for a damages only trial. This work includes the production of documents, the identification and deposition of fact and expert witnesses, the preparation of expert reports, and the consideration of various pre-trial motions. In order to ensure that the parties have sufficient time to properly prepare each of the cases for trial, it is now

ORDERED that the Driscoll case be made ready for a trial of damages only to begin on September 24, 2007 and that the Ambrose case be made ready for a trial of damages only to begin on October 15, 2007 or earlier if Driscoll resolves prior to September 24, 2007. The remaining cases will be scheduled at a later time; and it is further

ORDERED that Plaintiffs identify all fact and expert witnesses for the Driscoll case by August 6, 2007; Plaintiffs provide a curriculum vitae for all identified expert witnesses for the Driscoll case by August 6, 2007; and Plaintiffs provide reports for all identified expert witnesses for the Driscoll case by August 10, 2007; and it is further

ORDERED that Defendants identify all fact and expert witnesses for the Driscoll case by August 24, 2007; Defendants provide a curriculum vitae for all identified expert witnesses for the Driscoll case by August 24, 2007; and Defendants provide reports for all identified expert witnesses for the Driscoll case by September 10, 2007; and it is further

ORDERED that Plaintiffs identify all fact and expert witnesses for the Ambrose case by August 17, 2007; Plaintiffs provide a curriculum vitae for all identified expert witnesses for the Ambrose case by August 17, 2007; and Plaintiffs provide reports for all identified expert witnesses for the Ambrose case by August 24, 2007; and it is further

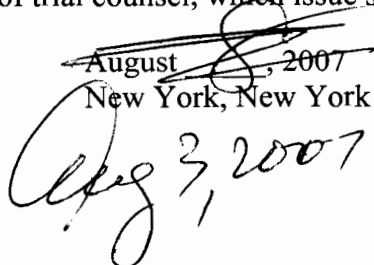
ORDERED that Defendants identify all fact and expert witnesses for the Ambrose case by September 7, 2007; Defendants provide a curriculum vitae for all identified expert witnesses for the Ambrose case by September 7, 2007; and Defendants provide reports for all identified expert witnesses for the Ambrose case by September 24, 2007; and it is further

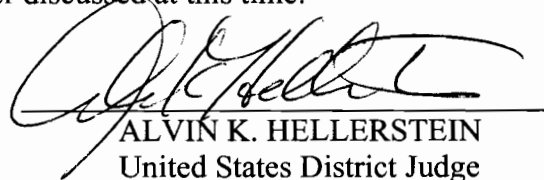
ORDERED that the parties submit proposed jury instructions for the Driscoll case by September 17, 2007; and it is further

ORDERED that any challenges that the parties may make to evidence and particular witnesses are reserved; and it is further

ORDERED that the parties appear for a pre-trial conference on September 5, 2007 at 10 a.m. The Court and the parties recognize that there will need to be a limit placed on the number of trial counsel, which issue shall be further discussed at this time.

Date:

  
August 3, 2007  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge